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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

JAMES HOLMES, JR.,

Plaintiff,

v.

ANDRE AGASSI COLLEGE PREP  
ACADEMY, *et al.*,

Defendants.

Case No. 2:12-CV-00273-KJD-VCF

**ORDER**

Before the Court is the Partial Motion to Dismiss (#19) and the Renewed Motion to Dismiss (#24) of Defendants Andre Agassi College Prep Academy and Andre Agassi Foundation for Education. Plaintiff James Holmes, Jr. has failed to file an opposition to either of these motions.

District of Nevada Local Rule 7-2(d) states, in relevant part: “[t]he failure of an opposing party to file points and authorities in response to any motion shall constitute a consent to the granting of the motion.” D. Nev. L.R. 7-2(d).

Good cause appears to support Defendants’ Motion to Dismiss Plaintiff’s Second and Fourth Causes of Action.

1 Accordingly, **IT IS HEREBY ORDERED** that Defendants' Partial Motion to Dismiss (#19)  
2 and the Renewed Motion to Dismiss (#24) are **GRANTED**.

3 **IT IS FURTHER ORDERED THAT** Plaintiff's Second and Fourth Causes of Action are  
4 **DISMISSED**.

5 DATED this 29th day of August 2012.

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Kent J. Dawson  
United States District Judge